

## FOREPERSON'S STATEMENT

The County Grand Jury was created and charged with the investigation of county government by state statutes dating back to 1880. California is one of only eight states that mandate this function. Every California county in the state has such a grand jury but with some variation in their composition and function. In the counties with larger population, including San Luis Obispo County, the jury has nineteen members; in the smaller counties the size of the jury is twelve. In some counties, as in San Luis Obispo County, the jury members are selected first by judicial screening and then by lot; in some counties the membership is simply drawn from the usual jury pool and in others, those with a shortage of volunteers, the two processes are combined. The final variation among the counties is the range of responsibility for the jury. While in San Luis Obispo County, as in most of the other counties in the state, the Grand Jury does not return criminal indictments, there are counties where this is a regular function of the jury.

In addition to the investigation of governance, the Grand Jury is mandated in the California Penal Code with the specific charge: "The grand jury shall inquire into the condition and management of public prisons within the county." This mandate covers not only county and city jails and holding cells but the California Men's Colony and, before its recent closure, the El Paso de Robles Youth Correctional Facility. It does not include the Atascadero State Hospital.

Beyond these mandated prison investigations, each Grand Jury selects its own areas of investigation prompted by the initiative of the jury members and by public complaints (See [www.slocourts.net/grand\\_jury/forms](http://www.slocourts.net/grand_jury/forms) or call 805-781-1588 for a standard complaint form.) Not all complaints will be investigated, not all investigations will result in a report. While some investigations do not result in a report, they can have an impact. This Grand Jury, investigating the complaint of an inmate at the County Jail, discovered a ventilation problem in the jail of which the management was not aware. Our inquiries into this case resulted in a correction of that problem. In a number of other investigations, deficiencies noted have been corrected while the investigation was underway.

It should be noted that the Recommendations of the Grand Jury are recommendations only. The agency being reviewed need not follow the Recommendations nor need they agree with the Findings upon which the Recommendations are based. The Findings and Recommendations however cannot be ignored. The Grand Jury can and routinely does require responses from agencies. They must submit to the Presiding Judge their Required Responses and do so within 60 or 90 days of the publication of the report. These responses will be published as a group on the Grand Jury web site in October.

The jury experience is a remarkable one. The nineteen members arrive, usually unacquainted with the other jurors, with a wide range of backgrounds, skills, knowledge and interests. This diversity is one of the great assets of the jury. The helpful insights of law enforcement personnel, teachers, entrepreneurs, lawyers, medical professionals, journalists, business people, public agency personnel, people experienced with volunteer and nonprofit agencies all have something unique to contribute to the investigations and deliberations. The range of perspective contributes tension and generally constructive criticism, resulting in reports of greater quality than any one of the members could produce. While unanimity is often not possible, every report that sees the light of day must have the support of at least twelve of the jurors.

The County provides the jury with an Administrative Assistant, a representative of the County Counsel's Office to serve as the attorney for the jury, a meeting place, computer support and a budget. In addition, the jury has access to the Presiding Judge of the Superior Court for advice and counsel.

As Foreperson of the jury, I would like to take this opportunity to acknowledge the very considerable assistance I have received. Sylvia Martinez, the jury's Administrative Assistant, is certainly the most indispensable component of the Grand Jury. Her experience, her eagerness to be helpful, and her astonishing patience with the several bulls in her china shop have been a blessing. Leslie Kraut, our County Counsel, has been a valued source of advice and a good friend. Martin Tangeman, the Presiding Judge, has been extremely helpful and a source of considerable wisdom. All members of the jury

have been very hard working and true seekers of the truth. Of their number, I would like to give particular thanks to Steve Martinez, Foreperson Pro Tempore, for all his assistance in a wide range of tasks, to Ron Trayner whose secretarial skills along with his understanding of the law have been invaluable and to Larry Lynch – the Lynch mob – editor and press release writer *extrordinaire*.

A handwritten signature in black ink that reads "Brandt Kehoe". The signature is written in a cursive, flowing style with a large initial 'B'.

Brandt Kehoe, Foreperson  
2008-2009 San Luis Obispo County Grand  
Jury